IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 6TH JUNE 2007 / 16TH JYAISHTA 1929

WP(C).No. 31659 of 2004(R)

PETITIONER:

SAJEEV KUMAR, PROPRIETOR,
`HOTEL SIVASAKTHI', 4/164, THOTTAKKATTUKARA,
ALUVA, ERNAKULAM DISTRICT.

BY ADV. SRI.N.SUBRAMANIAM
SRI.M.S.NARAYANAN
SRI.P.T.GIRIJAN
SRI.PRAMODH.R
SMT.USHA NARAYANAN

RESPONDENTS:
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1. THE ALUVA MUNICIPALITY, ALUVA,
REPRESENTED BY ITS SECRETARY.

***2. THE SENIOR ENVIRONMENTAL ENGINEER,**
STATE POLLUTION CONTROL BOARD, ERNAKULAM.

***ADDL. R2 IS IMPLEADED AS PER ORDER DATED 10/1/2005 IN WP(C)**

R1 BY ADV. SRI.V.M.KURIAN
SRI.A.V.THOMAS
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 06/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 31659/2004 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE ORDER DT. 20/10/2001 BY THE RESPONDENT.

EXT.P2. COPY OF THE JUDGMENT DT. 13/10/2003 IN OP NO. 1092/2002.

EXT.P3. COPY OF THE REPRESENTATION DT. 20/10/2003 MADE BY THE PETITIONER TO THE RESPONDENT.

EXT.P4. COPY OF THE LETTER DT. 19/12/2003 BY THE ASST. EXE. ENGINEER, PWD ROADS SUB DIVISION, ALUVA TO THE PETITIONER.

EXT.P5. COPY OF THE REPRESENTATION DT. 29/5/2004 BY THE PETITIONER BEFORE THE RESPONDENT.

EXT.P6. COPY OF THE ORDER DT. 20/8/2004 BY THE RESPONDENT TO THE PETITIONER.

EXT.P7 AND P8: PHOTOGRAPHS.

EXT.P9. COPY OF THE AFFIDAVIT DT. 8/1/2005 OF MR. BINEESH.

EXT.P10,P11,P12 AND P13: PHOTOGRAPHS.

True copy

tga

KURIAN JOSEPH, J.

W.P. (C) NO. 31659 OF 2004

Dated this the 6th day of June, 2007.

J U D G M E N T

Petitioner is aggrieved by Exhibit P6 notice issued by the first respondent alleging that the petitioner had been causing pollution by the release of waste water from his hotel. It is submitted that there is no pollution or nuisance caused by the petitioner and that he has been complying with the directions issued by the Pollution Control Board.

2. Petitioner may file an appropriate representation before the first respondent within a period of two months, in which case, the first respondent will consider the matter afresh with notice to the petitioner and pass appropriate orders in accordance with law. Interim order passed by this Court on 29.10.2004 will continue till such time.

This writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

smp